

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 35491

STATE OF IDAHO,)	2010 Unpublished Opinion No. 301
)	
Plaintiff-Respondent,)	Filed: January 8, 2010
)	
v.)	Stephen W. Kenyon, Clerk
)	
JUAN MANUEL RIOS,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Thomas F. Neville, District Judge.

Judgment of conviction and determinate life sentences for two counts of robbery, thirty-year determinate sentence for aggravated battery with a deadly weapon enhancement, twenty-year determinate sentence for aggravated assault with a deadly weapon enhancement, and five-year determinate sentence for unlawful possession of a firearm with a deadly weapon enhancement, to be served concurrently, affirmed.

Molly J. Huskey, State Appellate Public Defender; Eric D. Fredericksen, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

Before LANSING, Chief Judge, GUTIERREZ, Judge
and MELANSON, Judge

PER CURIAM

Juan Manuel Rios was convicted of two counts of robbery, Idaho Code §§ 18-6501, 18-6502, aggravated battery, I.C. §§ 18-903(a), 18-907(b), aggravated assault, I.C. §§ 18-901(b), 18-905(b), and unlawful possession of a firearm, I.C. § 18-3316, with sentence enhancements for use of a firearm during the commission of some of the crimes, I.C. § 19-2520. The district court imposed determinate life sentences for each count of robbery; thirty years determinate for aggravated battery, enhanced; twenty years determinate for aggravated assault, enhanced; and

five years determinate for unlawful possession of a firearm, enhanced, and ordered that all of the sentences be served concurrently. Rios appeals, contending that the sentences are excessive.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of a sentence are well established and need not be repeated here. *See State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Rios's judgment of conviction and sentences are affirmed.